

1 SAM HIRSCH  
2 Acting Assistant Attorney General  
3 Environment & Natural Resources Division  
4 United States Department of Justice  
5 LESLIE M. HILL (D.C. Bar No. 476008)  
6 leslie.hill@usdoj.gov  
7 Environmental Defense Section  
8 601 D Street N.W., Suite 8000  
9 Washington D.C. 20004  
10 Telephone (202) 514-0375  
11 Facsimile (202) 514-8865

12 *Attorneys for Defendant*

13 ROBERT UKEILEY  
14 Admitted Pro Hac Vice  
15 Law Office of Robert Ukeiley  
16 255 Mountain Meadow Road  
17 Boulder, CO 80302  
18 Tel. 720-232-7247  
19 rukeiley@igc.org

20 [additional counsel for Plaintiff listed in signature block]

21 *Counsel for Sierra Club*

22 **IN THE UNITED STATES DISTRICT COURT**  
23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
24 **SAN FRANCISCO DIVISION**

25 SIERRA CLUB,

26 Plaintiff,

27 v.

28 GINA McCARTHY, Administrator of the  
United States Environmental Protection  
Agency,

Defendant.

Case No.: 3:12-cv-06472-CRB

**JOINT STATUS REPORT**

On October 10, 2014, the parties filed a joint status report (Dkt. No. 37) advising the court that the parties had reached a tentative agreement on several more deadlines at

1 issue in the matter, had drafted a proposed Consent Decree, and would continue to  
2 discuss the remaining deadlines. The Court ordered the case held in abeyance until  
3 November 24, 2014 and ordered the parties to submit another status report by November  
4 10, 2014 (Dkt. No. 38).

5 The parties have continued to discuss the few remaining deadlines and expect to  
6 reach agreement on those deadlines in the next week. As the parties explained in the  
7 prior status report, approval of a settlement on behalf of Defendant will require review by  
8 the appropriate officials of the U.S. Environmental Protection Agency and the U.S.  
9 Department of Justice as well as compliance with the public notice requirement of  
10 40 U.S.C. § 7413(g). Approval of the settlement on behalf of Plaintiff will require  
11 review and approval by multiple people in Sierra Club, some of whom are volunteers.

12 Accordingly, the parties stipulate to and request that the Court hold this matter in  
13 abeyance until December 5, 2014 to allow the parties to conclude negotiations and  
14 receive management approval for settlement. The parties will submit another joint status  
15 report on November 24, 2014 to advise the Court of their progress in resolving this case  
16 without further litigation.

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 Respectfully submitted,  
2 Date: November 10, 2014

3 SAM HIRSCH  
4 Acting Assistant Attorney General  
5 Environment and Natural Resources Division

6 /s/ Leslie M. Hill

7 \_\_\_\_\_  
8 LESLIE M. HILL (D.C. Bar No. 476008)  
9 U.S. Department of Justice  
10 Environment & Natural Resources Division  
11 Environmental Defense Section  
12 601 D Street N.W., Suite 8000  
13 Washington D.C. 20004  
14 leslie.hill@usdoj.gov  
15 Telephone (202) 514-0375  
16 Facsimile (202) 514-8865

17 *Attorneys for Defendant*

18 /s/ Robert Ukeiley (email authorization  
19 11/10/14)

20 \_\_\_\_\_  
21 ROBERT UKEILEY  
22 Admitted Pro Hac Vice  
23 Law Office of Robert Ukeiley  
24 255 Mountain Meadow Road  
25 Boulder, CO 80302  
26 Tel. 720-232-7247  
27 rukeiley@igc.org

28 ANDREA ISSOD (Cal. Bar No. 230920)  
Sierra Club  
85 Second Street, 2nd Floor  
San Francisco, CA 94105  
Telephone (415) 977-5544  
Facsimile (415) 977-5793  
andrea.issod@sierraclub.org

*Attorneys for Plaintiff*

\*\*\*\*\*ORDER

Pursuant to Stipulation and for good cause shown, all proceedings shall be held in abeyance until December 5, 2014. Further, the parties shall submit a joint status report by November 24, 2014.

DATED this 35<sup>th</sup> day of November, 2014.

